

New Hampshire  
State Board of Education  
Minutes of the April 24, 2014 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:05 a.m. at the Department of Education, 101 Pleasant Street, Concord, NH 03301. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Gary W. Groleau, Helen G. Honorow, Gregory Odell, and Emma Rous. Cindy C. Chagnon was unable to attend. Virginia M. Barry, Commissioner of Education and Paul K. Leather, Deputy Commissioner of Education, were present.

Chairman Raffio said there would be a moment of silence for Tom Brennan who passed away recently. He was the former Superintendent of Schools for the Manchester School District.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

Helen Honorow led the pledge of allegiance.

**AGENDA ITEM III. PUBLIC COMMENT**

Gary Groleau updated the Board on the tragedy that happened at NH Ball Bearing. Most of the people have returned to work but the two severely injured have not. Everyone appreciates the good thoughts and prayers.

Peter Martin from Exquisite Productions said he has made major changes in his website for people viewing the State Board meetings and by Monday it will be back to a regular site.

**AGENDA ITEM IV. OPEN BOARD DISCUSSION**

A. Update on Charter Schools – Chairman Raffio mentioned that the North Country Charter Academy would be having a Founders-Supporters Recognition Dinner on May 31<sup>st</sup> and the Graduation is scheduled for June 1<sup>st</sup>. They are celebrating their tenth year.

Commissioner Barry said there is a new charter school – Micro Society – moving through the process. They have been very thorough preparing the necessary materials. They plan to be located in Nashua. If everything is completed and finalized, the charter school will come before the May meeting; if not it will be the June meeting.

B. Update on Unity - Craig Shute, Chair of the Unity School Board, provided an update on the progress of the Unity Elementary School construction project. He assured the State Board that the facility would be ready by Sept. 2, the opening day of the next school year.

C. Discussion on Strategic Items – Mini Retreat - Heather Gage met with Board members to ask if they had any further direction on the development of the Board goals for next year. Ms. Gage will prepare a next draft based on the Board members comments. Chairman Raffio would like the next draft electronically.

D. Miscellaneous – The NH Business and Education Coalition meets on a regular basis and will be meeting on Monday. The Coalition has been discussing STEM. Governor Hassan has created a STEM Task Force and there are two members from the Coalition on this Task Force. The NH Charitable Foundation is submitting a Lumina grant related to STEM.

Chairman Raffio said that Cindy Chagnon would be attending the middle school recognition event.

Chairman Raffio said that Fred Bramante's 10,000 Mentor program was presented to the Manchester School. Commissioner Barry said that Mr. Bramante presented the 10,000 Mentors program to Department staff and did a great job and that Education Week has been in touch with Fred.

Chairman Raffio thanked Helen Honorow, Cindy Chagnon, and Paul Leather for attending the City Year event.

Commissioner Barry said that the Department has received the National Council on Teacher Quality 2013 State Teacher Policy Yearbook. New Hampshire received a grade of D. The two prior reports had been assigned a D-. Several changes in the administrative rules have been processed and policy changes regarding assessment have been made. There will be a senior policy analyst reviewing this report for the Department. The Council for Teacher Education and the Professional Standards Board have been involved in reviewing this report. Judy Fillion said the NCTQ report has looked favorably on our nontraditional certification routes managed by the DOE. In other states these programs have been administered by the Institutions of Higher Education. New Hampshire IHEs are making changes in teacher preparation programs in order to meet the new standards/rules adopted by the State Board.

Paul Leather updated the Board on class enrollment in the Manchester School District. There are zero classes in the elementary schools that are over enrolled; 21 classes in the four middle schools and two classes in the high schools. We will be meeting with the administration on Manchester's Innovation Zone leadership the first week of May. The School Board in Manchester has made a deep commitment to the Superintendent.

Commissioner Barry said that the STEAM program at West High School is moving ahead.

Gregory Odell asked if student teachers could teach in neighboring states. Commissioner Barry said they could but they have to have a college that will mentor them.

#### **AGENDA ITEM V. SPECIAL PRESENTATIONS**

A. Student/Rochester School Board – SB-FY-14-08-003 – The Parent, Mary Moriarty, Assistant Superintendent of Schools for SAU #54 Rochester, and Jerry Grossman, Esq., Attorney for the School Board, were present. Chairman Raffio asked the parties if they would like the hearing in public or nonpublic session. The Parent elected to hold the hearing in nonpublic session.

MOTION: Gregory Odell made the motion, seconded by Helen Honorow, to go into nonpublic session pursuant to RSA 91-A:3.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

MOTION: Gregory Odell made the motion, seconded by Gary Odell, to come out of nonpublic session.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau- Yes; Gregory Odell – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

MOTION: Gregory Odell made the motion, seconded by Emma Rous, that the State Board of Education reject the Hearing Officer's Report and remand the matter back to the Hearing Officer for further review on the issues raised in the parent's written testimony.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

B. Hill Withdrawal Plan – Chairman Raffio said the Board is now reviewing the Town of Hill's Withdrawal Plan. In addition to myself, four Board members are present and presiding over the matter. Chairman Raffio said that at last month's meeting, following review of all materials and argument from Counsel, the Board returned the Withdrawal Plan to the Town of Hill with the following noted deficiencies: (1) the Plan needs additional information regarding the disposition of property and a statement of assumption of liabilities upon dissolution of the AREA; (2) the Plan lacks a detailed analysis of the financial and educational consequences of the proposed withdrawal. Further, the Board recommended that the Withdrawal Committee meet within 30 days to allow Franklin representatives to participate. The Town of Hill has resubmitted the Plan with an Addendum purporting to correct the noted deficiencies. The Board will now review the Plan pursuant to its authority under RSA 195-A:14, VII. The Board also received a "Minority Report" from Gregory Husband, Chairperson for the Franklin Subcommittee on the Hill Withdrawal. The Board's review is two-fold: (1) technical review – whether the Plan now meets the requirements of RSA 195-A:14, IV; and (2), if so, whether the Board recommends for or against its adoption based on our assessment of the Plan's feasibility. If it still does not meet the requirements, we must repeat the process by returning the Plan to Hill and note the remaining deficiencies. If it does meet the requirements, the Board must then review feasibility. John Teague, Attorney for Hill and Tamara Feener, Chair of the Franklin School Board, were present. Attorney Teague testified that since the March State Board of Education meeting there have been two Hill AREA Withdrawal Exploration Committee Meetings on April 7<sup>th</sup> and April 14<sup>th</sup>. These meetings were to discuss the two additional requirements of the State Board of Education. Attorney Teague said that there was a representative from Franklin at the meetings and Franklin was heard.

Attorney Teague discussed the financial impact on the Franklin School District with the total loss of Hill students in grades 7 through 12 results in lost revenues totaling \$637,901 of the total Franklin School District Budget. Franklin School District would also continue to receive tuition through the transition of Hill high school students through fiscal year 2019-20. He stated that the financial impact on Hill tuition would be negligible as they will continue to pay tuition for 7<sup>th</sup> through 12<sup>th</sup> grade students whether it is Franklin or another nearby district. It is the intent of the Hill School District to negotiate a transition plan with the Franklin School District for those Hill students who are enrolled at Franklin High School for the 2014-15 school year and wish to remain and graduate from Franklin High School. Attorney Teague said that since Franklin has started using the weighted vote Hill has zero vote in the SAU. Tamara Feener said that the Minority Report contained information regarding this issue and that the communities of Hill and Franklin have had a very successful relationship for over 50 years. Ms. Feener said that in 2013 the Hill School District decided to start a withdrawal process from the Hill-Franklin AREA agreement. After discussion by Board members it was decided there should be two votes – one on technical requirements and one on a detailed analysis of the financial and educational consequences of the proposed withdrawal.

MOTION: Gary Groleau made the motion, seconded by Helen Honorow, that the State Board of Education voted that the Hill Withdrawal Plan has met the technical requirements pursuant to the State Board's authority under RSA 195-A:14, VII.

VOTE: The motion was adopted by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

MOTION: Gary Groleau made the motion, seconded by Gregory Odell, that based on its assessment of the Plan's feasibility, the State Board of Education voted to recommend adoptions of the Hill Withdrawal Plan.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Tom Raffio – Yes; Helen Honorow – Yes.

C. Public Hearing – Ed 302, Ed 303, Ed 304, Ed 311, Ed 316 and Ed 900 – Duties of Superintendents, School Boards, Principals, School Health Services, and Dropout Prevention – Chairman Raffio opened the hearing at 11:00 a.m. Ed 302-Ed 304 describes the duties of Superintendents, School Boards, and School Principals. Ed 311 identifies the immunization requirements and exemptions, the process for having medication during the school day, and what documentation is needed for physical examination of students. Ed 316 establishes procedure whereby drug-free school zone signs are posted. Ed 900 implements the Department's responsibility for dropout prevention and recovery program to assist pupils in successfully completing high school. Most of the rules expired on March 15, 2014, but are subject to extension pursuant to RSA 541-A:14-a. There are no changes to these rules. There was no testimony presented at this hearing. Chairman Raffio closed the hearing at 11:30 a.m.

#### **AGENDA ITEM VI. NEW DEPARTMENT BUSINESS**

Deputy Commissioner Leather said that 2Revolutions is very well known nationally, developing KnowledgeBase products and supporting schools and districts in innovative practices. NH's KnowledgeBase was the first one developed, now it is in a number of other states as well. The Department has had the knowledge base for a few years and educators are using it. It is only open to educators right now through a single sign on number. The site is currently being constructed for public view.

Mr. Leather said the request for dropout reports is just being released and we should have a report at the May meeting.

Commissioner Barry said the Department would be applying for another waiver for accountability and assessment with greater flexibility for school districts.

Emma Rous asked about the adequacy section of the Minimum Standards where the Standards have been approved by JLCAR and the State Board. Deputy Commissioner Leather said the adequacy section will need to go back to the Legislature in the next session for a decision.

**AGENDA ITEM VII. LEGISLATIVE ISSUES**

A. Initial Proposal for Ed 513.01, Basic Academic Skills and Subject Area Assessment and Ed 513.03, Highly Qualified Teacher – Judy Fillion spoke on this Initial Proposal. A vote is needed by the Board to enter the rulemaking process to adopt the Initial Proposal. Ed 513.01 is being amended as a result of the work to strengthen the requirements for teacher licensure. Raising the rigor of the basic skills requirement by removing the exemption is one component of accomplishing this goal. The text is also being amended to align with the language in Ed 606.01 for a “nationally approved test of academic proficiency.” The Ed 513.02 rules expire December 2014, and are being readopted with amendment to update the language for a highly qualified teacher. The Department will enter the rulemaking process by filing it with the JLCAR, along with a request for a fiscal impact statement. The Board will hold a public hearing at its June meeting. This information will be published in the Rulemaking Register next month.

MOTION: Helen Honorow the motion, seconded by Gary Groleau, that the State Board of Education adopt the Initial Proposal for Ed 513.01, Basic Academic Skills and Subject Area Assessment, and Ed 513.03, Highly Qualified Teacher. The State Board will hold a public hearing in this filing on June 12, 2014 at 11:00 a.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

**AGENDA ITEM VIII. NEW BOARD BUSINESS**

Chairman Raffio said he would be participating in a debate at St. Anselm's College on May 19 with Bill Duncan on the Common Core State Standards.

**AGENDA ITEM IX. COMMISSIONER'S REPORT**

Commissioner Barry reported on items during this meeting.

**AGENDA ITEM X. OLD BUSINESS**

There was no Old Business at this meeting.

**AGENDA ITEM XI. CONSENT AGENDA****A. Minutes of March 26, 2014 Meeting**

MOTION: Gary Groleau made the motion, seconded by Gregory Odell, to approve the Minutes of March 25, 2014, as amended.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

**B. Notes from Mini Retreat March 26, 2014**

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, to approve the Notes from Mini Retreat March 26, 2014.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

C. Issue Certificate to Clarksville Pittsburg Amended AREA Plan – The Board approved the Clarksville Pittsburg amended AREA plan on January 16, 2013, to extend the current agreement for an additional three years, until June 30, 2018. No other changes were made to this agreement and both planning committees unanimously approved the recommendation and required it be placed on the school district warrants in Clarksville and Pittsburg for a vote at their annual meeting. The Clarksville and Pittsburg School Districts voted at their annual school district meeting on March 12, 2013 and March 7, 2013 respectively to accept the amended AREA plan as provided in RSA 195-A:3 by a vote of 16-8 and 58-3. The clerks of the school boards have submitted the evidence required by RSA 195-A:3 in order for the State Board to make its finding and issue its certificate. Based on the evidence submitted, the State Board finds that a majority of the voters, present and voting, have voted to approve the plan, it now issues a certificate. Issuance of the certificate by the State Board will provide the district with conclusive evidence of the lawful amended AREA plan between Clarksville and Pittsburg.

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, that the State Board of Education, having found that the amended AREA plan between Clarksville and Pittsburg was lawfully adopted, now issues its certificate.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



D. Issue Certificate to Colebrook Columbia Amended AREA Plan –

The State Board approved the Colebrook Columbia amended AREA plan on December 19, 2103, to extend the current agreement which expires June 30, 2016, for an additional five years, until June 30, 2021. They are also recommending the elimination of the 2% rental charge and addition of a provision that would allow Columbia pre-school students to attend the Colebrook pre-school, if Colebrook decides to permit students from outside the district to enroll in its pre-school program. The school boards in both communities unanimously approved the recommendations of the planning committee. The Colebrook and Columbia School Districts voted at their annual school district meeting on March 6, 2014 and March 11, 2013, respectively, to accept the amended AREA plan as provided in RSA 195-A:3 by a vote of 60-6 and 31-24. The clerks of the school boards have submitted the evidence required by RSA 195-A:3 in order for the State Board to make its finding and issue its certificate. Based on the evidence submitted, the State Board finds that a majority of the voters, present and voting, have voted to approve the plan, it now issues a certificate of withdrawal. Issuance of the certificate by the State Board will provide the district with conclusive evidence of the lawful amended AREA plan between Colebrook and Columbia.

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, that the State Board of Education, having found that the amended AREA plan between Colebrook and Columbia was lawfully adopted, now issues its certificate.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

E. Issue Certificate for the Middleton Withdrawal from the Farmington-Middleton Authorized Regional Enrollment Area (AREA) Agreement – At the January 14, 2014 meeting, the State Board approved the plan for withdrawal of Middleton from the Farmington-Middleton AREA submitted by the Middleton Withdrawal Planning Committee. At the annual Middleton school district meeting the voters approved the plan by a vote of 453-142. The clerk of the school board has submitted the evidence required by RSA 195-A:14, VII in order for the State Board to make its finding and issue its certificate of withdrawal. Based on the evidence submitted, if the Board finds that a majority of the voters present and voting, have voted to approve the plan, it now issues a certificate of withdrawal. The certificate of withdrawal is conclusive evidence of Middleton's lawful withdrawal from the Farmington-Middleton AREA effective July 1, 2015.

MOTION: Gary Groleau made the motion, seconded by Emma Rous, that the State Board of Education issue a certificate of withdrawal to Middleton from the Farmington-Middleton AREA.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

F. Issue Certificate for the Milan Berlin Amended AREA Agreement – The State Board approved the Milan Berlin amended AREA plan on December 19, 2013, to extend the current agreement until June 30, 2018. The Berlin Mayor and the Milan School Board Chair have signed the amended AREA attesting to the approval by all parties involved. The Berlin City Council voted unanimously and the Milan School District voted 78-12 at their annual school district meeting on March 10, 2014 to accept the amended AREA plan as provided in RSA 195-A:3. The clerk of the school board has submitted the evidence required by RSA 195-A:3 in order for the State Board to make its finding and issue its certificate. Based on the evidence submitted, the State Board finds that a majority of the voters, present and voting, have voted to approve the plan, it may issue a certificate. Issuance of the certificate by the State Board of Education will provide the district with conclusive evidence of the lawful amended AREA plan between Milan and Berlin.

MOTION: Helen Honorow made the motion, seconded by Gregory Odell, that the State Board of Education, having found that the amended AREA plan between Milan and Berlin was lawfully adopted, now issues its certificate.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

G. Issue Certificate for the Wilton-Lyndeborough Cooperative School District Amendments to Cooperative School District Agreement – At the February 13, 2014 meeting the State Board approved the amendments to the articles of agreement pursuant to RSA 195:18. The proposed amendments included a warrant article to assign elementary students to either elementary school in the district, to change the apportionment formula and to provide a separate apportionment formula of capital expenses related to the amortization of a bond issue to fund renovations. The district meeting of the Wilton-Lyndeborough Cooperative School District, held March 7, 2104, approved warrant article 5 by a vote of 227-101. Issuance of the certificate by the Board will provide the district with conclusive evidence of lawful adoption of the articles of agreement including a change in the Wilton-Lyndeborough Cooperative School District apportionment formula for capital expenses.

MOTION: Emma Rous made the motion, seconded by Gary Groleau, that the State Board of Education, having found that the vote was properly noticed and the necessary approval by the voters having been obtained, does issue its certificate to the Wilton-Lyndeborough Cooperative School District.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

H. Issue Certificate of Withdrawal to Goshen from the Goshen-Lempster Cooperative School District – At the January 14, 2014 meeting, the State Board approved the plan for withdrawal submitted by the Goshen Withdrawal Planning Committee. At the annual school district meeting the voters approved the plan to withdraw from the Goshen-Lempster Cooperative School District by a vote of 157-122. The clerk of the school board has submitted the evidence required by RSA 195:29 in order for the Board to make its finding and issue its certificate of withdrawal. Based on the evidence submitted, the Board finds that a majority of the voters, present and voting, have voted to approve the plan, it now issues a certificate of withdrawal. The certificate of withdrawal is conclusive evidence of Goshen's lawful withdrawal from the Goshen-Lempster Cooperative School District effective July 1, 2015.

MOTION: Gary Groleau made the motion, seconded by Helen Honorow, that the State Board of Education issue a certificate of withdrawal to Goshen from the Goshen-Lempster Cooperative School District.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

I. Tuition Contracts Approval

1. Hooksett School District and Pinkerton Academy – The Hooksett School District does not maintain a public high school. Pinkerton Academy is an approved public academy by the State Board of Education and is willing to accept Hooksett students on a tuition basis. RSA 194:22 permits a New Hampshire school district to contract with a public school in another district to provide a public education to its resident pupils in order to satisfy the school board's duty to provide elementary and secondary public education, at the school board's expense, to students residing in their district pursuant to RSA 189:1-a. Approval of this contract will permit high school students who reside in the Hooksett School District to receive a public education at Pinkerton Academy at Hooksett's expense for the period of one year commencing on July 1, 2014.

The parties may mutually agree to extend the agreement for such successive years as the parties may agree.

MOTION: Gary Groleau made the motion, seconded by Emma Rous, that the State Board of Education approve the Tuition Contract between the Hooksett School District and Pinkerton Academy commencing on July 1, 2014.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

2. Landaff School District and Lisbon Regional School District – Landaff does not maintain a public school for grades four through twelve. The Lisbon Regional School District does maintain public schools for these grades that are approved by the State Board of Education and is willing to accept Landaff students on a tuition basis. RSA 194:22 permits a New Hampshire school district to contract with a public school in another district to provide a public education to its resident pupils in order to satisfy the school board's duty pursuant to RSA 189:1-a. Approval of this contract will permit Landaff students in grades four through twelve to receive a public education in the Lisbon Regional School District at Landaff's expense for three years beginning July 1, 2014-June 30, 2017.

MOTION: Emma Rous made the motion, seconded by Gary Groleau, that the State Board of Education approve the Tuition Contract between the Landaff School District and the Lisbon Regional School District for three years beginning July 1, 2014-June 30, 2017.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

J. Career and Technical Education Regional Agreement with CTE Region 10 (Claremont and Newport School Districts) – Agreements between Career and Technical Education receiving districts, their sending districts, and the Department of Education document the relationship with regard to Regional Career and Technical Education. Agreements include the roles and responsibilities of receiving and sending districts, as well as the Department's role with regard to the state constructed CTE centers. Approval formalizes the regional arrangement for Region 10 for the delivery of career and technical education between the parties for a period of ten years from the date of State Board of Education approval. The agreement was signed in 2012.

On a recent monitoring visit it was revealed that Board approval had not taken place. A review of prior meeting minutes from the State Board confirmed this oversight.

MOTION: Gary Groleau made the motion, seconded by Gregory Odell, that the State Board of Education approve the regional Career and Technical Education Agreement for CTE Region 10.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

#### **AGENDA ITEM XII. TABLED ITEMS**

There were no Tabled Items at this meeting.

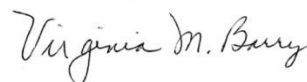
#### **AGENDA ITEM XIII. NONPUBLIC SESSION**

The State Board went into Nonpublic Session under Special Presentations.

#### **AGENDA ITEM XIV. ADJOURNMENT**

MOTION: Emma Rous made the motion, seconded by Gregory Odell, to adjourn the meeting at 11:30 a.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



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Secretary